

MSRA Implementation: by Status Update (49 items) As of 2/1/08

Issue	MSRA Citation	Output	Status	Additional Information
Access to Certain Information (1 item)				
Revises provisions specifying access to confidential information.	203	Undetermined	2-In Progress	
CDQ Bycatch limitations (1 item)				
Revises bycatch limitations	116(a)	Regulatory Change	6-Completed	<p>Final rules implementing Amendments 80 (72 FR 52668) and 85 (72 FR 50788) to the FMP for BSAI Groundfish issued to increase CDQ allocations for species supporting directed fisheries. The CDQ Panel made its allocation decision for 2008 fisheries in early October and provided it to NMFS.</p> <p>CDQ allocations represent ongoing activities for the agency. Each year, the CDQ Panel will make its allocation decision under this section of the MSRA and provide it to NMFS. However, no further action relative to this task is required at this time. Should the CDQ Panel not reach consensus, NMFS would issue rules defining the process by which it would make the allocations as provided for in the revised Magnuson-Stevens Act.</p>
Community-Based Habitat Restoration Program (1 item)				
Requires Sec. of Commerce to establish a community-based fishery and coastal habitat restoration program to implement and support the restoration of fishery and coastal habitats.	117	Program	5-Final Review	<p>A description of NOAA's Community-Based Restoration Program can be found at: http://www.nmfs.noaa.gov/habitat/restoration/projects_programs/crp/index.html</p> <p>NOAA published an Omnibus Federal Register Notice on July 2, 2007 to announce the availability of FY2008 competitive federal grant funds (http://www.nmfs.noaa.gov/habitat/restoration/funding_opportunities/funding_nationwide.htm) . Through NOAA's Community-based Restoration Program, funds are provided to implement individual, grass-roots restoration projects to restore fish habitat. Deadline for applications closed September 27, 2007.</p>
Cooperative Research and Management Program (1 item)				
Requires Sec., in consultation with the Councils, to establish a regional cooperative research and management program. Funds would be provided on a competitive basis and based on regional fishery management needs. Under cooperative research and management program, priority is given to projects that: - collect data to improve, supplement, or enhance stock assessments; - assess the amount and type of bycatch or post-release mortality; - use conservation	204	Program	2-In Progress	

Issue	MSRA Citation	Output	Status	Additional Information
engineering designed to reduce bycatch; - identify HAPCs and habitat conservation methods; and collect and compile economic and social data.				
Council Coordination Committee (1 item)				
Authorizes the Councils to establish a Council coordination committee consisting of chairs, vice chairs, and executive directors to discuss issues of relevance to all Councils.	103(g)	Other	6-Completed	The Councils have established the CCC via motions passed at recent meetings. Information on these motions is available from the Councils.
Council SOPPs Revisions (1 item)				
<p>1. Requires that conflict of interest disclosures be made available on the internet, as well as at the Council offices</p> <p>2. Authorizes the tribal representative on the Pacific Council to designate as an alternate, during the period of the representative's term, an individual knowledgeable concerning tribal rights, tribal law, and the fishery resources of the geographical area concerned.</p> <p>3. Within the list of Gulf Council nominees that is submitted to the Sec. [through FY 2012], requires Governors to include at least one nominee each from the commercial, recreational, and charter fishing sectors, and one other nominee who is knowledgeable on fisheries conservation and management. If Governor's list does not meet requirements, requires the Sec. to publish a notice in the Federal Register asking State residents to submit names and biographical information of nominees that meet unmet requirement. Further stipulates that an individual who owns or operates a fish farm outside of the United States from may not be a representative of the commercial or recreational fishing sector.</p> <p>4. Modify notice requirements for regular and emergency Council meeting, and for closed Council</p>	103(a),(b),(e),(f),(i),(j)	Revise Council SOPPs	2-In Progress	

Issue	MSRA Citation	Output	Status	Additional Information
<p>meetings.</p> <p>5. Require that each council establish, maintain, and appoint the members of a SSC to assist in the development, collection, evaluation, and peer review of such statistical, biological, economic, social, and other scientific information as is relevant to [an FMP]. Requires each SSC provide ongoing scientific advice for fishery management decisions, including recommendations for acceptable biological catch and MSY; and reports on stock status and health, bycatch, habitat status, socioeconomic impacts of management measures, and sustainability of fishing practices. Requires SSC members be Federal employees, State employees, academicians, or independent experts with strong scientific or technical credentials and experience.</p> <p>6. SSCs are required to hold meetings in conjunction with Council meetings, to the extent practicable.</p>				
Data Collection (1 item)				
<p>Authorizes collection of proprietary and economic info, i.e., strikes restriction on info that would disclose proprietary or confidential commercial or financial info.</p> <p>Authorizes Secretary to implement an information collection or observer program to obtain additional info for fisheries management.</p>	202	Other	7-No action needed	If the Secretary determines that information is necessary for developing, implementing, revising, or monitoring a fishery management plan, or for determining whether a fishery is in need of management, the Secretary may, by regulation, implement an information collection or observer program requiring submission of such additional information for the fishery.
Deep Sea Coral Research/Management (1 item)				
<p>1. Requires the Sec., in consultation with appropriate Councils and in coordination with other Federal agencies and educational institutions, to establish a Deep Sea Coral Research and Technology Program and submit information to the appropriate Councils</p> <p>2. Authorizes designation of zones in areas where deep sea corals are</p>	105 and 211	Program	2-In Progress	<p>The President's Ocean Action Plan has identified a priority for efforts to survey, research, and protect deep sea coral communities. NOAA is committed to working with partners to improve the conservation of these important ecosystems. On December 10, 2007, NOAA published "The State of Deep Coral Ecosystems of the United States", called for in the President's Ocean Action Plan. This peer-reviewed report, prepared by NOAA's Coral Reef Conservation Program, provides the first comprehensive national assessment of these unique and vulnerable ecosystems and provides a baseline for future research and management efforts under the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act. The report can be found at:</p> <p>http://www.nmfs.noaa.gov/habitat/dce.html.</p>

Issue	MSRA Citation	Output	Status	Additional Information
identified under section 408 (i.e., the new Deep Sea Coral Research and Technology Program), to protect deep sea corals from physical damage from fishing gear or to prevent loss or damage to such fishing gear from interactions with deep sea corals. FMPs may take into account the different circumstances affecting fisheries from different States and ports, including distances to fishing grounds and proximity to time and area closures. FMPs may include measures to conserve target and non-target species and habitats, considering the ecological factors affecting fishery populations.				Deep sea coral related research and management tasks without statutory deadlines were combined because of the interrelated nature of the work.
Economic impacts (1 item)				
Requires that any rebuilding plans that reduce the overall harvest take into consideration the economic impact of the harvest restrictions or recovery benefits on the fishery participants in each sector. Revises National Standard 8 by inserting "by utilizing economic and social data that meets the requirements of paragraph (2)" after "fishing communities".	104(a)	Undetermined	6-Completed	Implementation of the economic impact requirements, as a task, will be tracked under activities conducted under the Fishery Impact Statement/Required Provisions task.
Emergency regulations (1 item)				
Extends the second emergency period from 180 days to 186 days.	108	Other	6-Completed	Agency guidance has been updated to reflect this change.
Findings with IUU Fishing (1 item)				
Adds a finding that international cooperation is necessary to address illegal, unreported, and unregulated (IUU) fishing.	402	Other	7-No action needed	This language is self-implementing. No further action is required to comply with this provision of the MSRA.
Fisheries Conservation and Management Fund (1 item)				
Require Sec. to establish and maintain a Fishery Conservation and Management Fund. Monies in the Fund must be used for: - improving harvest data collection;	208	Other	5-Final Review	

Issue	MSRA Citation	Output	Status	Additional Information
<p>- cooperative fishery research & analysis; - development of technologies to improve seafood quality; - analysis of the benefits & risks of seafood consumption; - marketing of sustainable U.S. fishery products; - improving data collection under the MRFSS; &</p> <p>- providing financial assistance to fishermen for the modification of fishing practices and gear to meet MSA requirements. Authorizes deposits generated through quota set-asides, appropriations, and funds from States, private/public entities, or non-profit organizations.</p> <p>Requires the Sec. to apportion monies in the Fund every 2 years (without appropriation or fiscal year limitation) among the 8 Council regions, based on regional priorities identified through the Council process, except no region can receive less than 5 percent of the Fund in each allocation period. Monies from the fund may not be used to defray the costs of complying with MSA requirements.</p>				
Fisheries Hurricane Assistance Program (1 item)				
<p>Requires Sec. to establish an assistance program for the Gulf of Mexico commercial and recreational fishing industry. Appropriated funds must be allocated among the Gulf states in proportion to the percentage of the fishery landed by each state. (Funds allocated to Florida must be based exclusively on the proportion of catch landed by the Florida Gulf Coast fishery.)</p> <p>Of the funds made available to each state, 2% must be distributed to fishermen with a demonstrated record of compliance with turtle excluder and bycatch reduction regulations. The rest of the funds must provide for personal and small business assistance, domestic product marketing and seafood promotion, state seafood testing programs, development of</p>	115	Other	6-Completed	Appropriations sent to Gulf States in September 2007.

Issue	MSRA Citation	Output	Status	Additional Information
limited entry programs, assistance or incentives for use of turtle excluder and bycatch reduction devices, and voluntary capacity reduction programs for shrimp fisheries under limited access programs.				
Fishery Impact Statement/Required Provisions (1 item)				
Encompasses a variety of revisions to MSA with respect to economic and social impacts, particularly as the address the requirements of each FMP and what it must include in its fishery impact statement. Includes discussion of likely effects of management on safety of human life at sea.	101(a), 101(b), 104(a),	Other	2-In Progress	The economic, social, cumulative impact analysis and safety-at-sea provisions have been combined into a single task because of the similarity of data and analysis required under the MSRA.
Fishing Capacity Reduction (1 item)				
Authorizes Sec. to pay the owner of a fishing vessel under a fishing capacity reduction program if such vessel is scrapped or subject to title restrictions, all permits are surrendered, and all claims associated with present and future limited access system permits are relinquished. Prohibits Sec. from making a payment under a fishing capacity reduction program, with respect to a vessel that will not be scrapped, unless the Sec. certifies that the vessel will not be used for any fishing, including fishing in the waters of a foreign nation and fishing on the high seas. Strikes subsection (e) under 312 and inserts new implementation plan, including framework regulations, program regulations, harvester proponent's implementation plan, participation contracts, reduction auctions, and bid invitations.	112(a)	Guidelines	2-In Progress	
Guidance to U.S. Commissioners to International Fishery Management Efforts (1 item)				
1. Amends HSDMPA to: Requires the Secretary, in consultation with the Secretary of State, and in cooperation with relevant fishery management councils and any relevant advisory committees, to take actions to improve	4(2), 401,402,403, 407	Policy statement	6-Completed	The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, P.L. 109-479 (MSRA) contains a number calls for action relevant to U.S. delegations to international fisheries meetings. Many of the actions called for are initiatives that the United States is already undertaking. A policy document has been prepared compiling these calls for action for the information and use of heads of U.S. delegations to relevant international fisheries meetings. It is undergoing final internal review and has a target public release

Issue	MSRA Citation	Output	Status	Additional Information
<p>the effectiveness of international fishery management organizations in conserving and managing fish stocks under their jurisdiction. Actions include—(a) urging specified action by international fishery management organizations to which the United States is a member—(b) urging action by international fishery management organizations to which the United States is a member, as well as all members of those organizations, to adopt and expand the use of market related measures to combat illegal, unreported, or unregulated fishing — (c) urging action by other nations at bilateral, regional, and international levels, including the Convention on International Trade in Endangered Species of Fauna and Flora and the World Trade Organization to take all steps necessary, consistent with international law, to adopt measures and policies that will prevent fish or other living marine resources harvested by vessels engaged in illegal, unreported, or unregulated fishing from being traded or imported into their nation or territories.</p> <p>2. Requires that (a) in managing any fisheries under an international fisheries agreement to which the US is a party, the appropriate Council or Secretary shall take into account the traditional participation in the fishery, relative to other nations, by fishermen of the US on fishing vessels of the US; (b) MSA provisions be communicated and promoted when the United States participates in an RFMO that does not have a process for developing formal plans to rebuild.</p> <p>3. When establishing catch allocations under international fisheries agreements, the Sec., in consultation with the head of the Coast Guard and the Sec. of State, is required to ensure that all catch history (associated with a U.S. vessel) remains with the United</p>				<p>date of January 18, 2008.</p>

Issue	MSRA Citation	Output	Status	Additional Information
<p>States in that fishery, and is not transferred or credited to any other nation or vessel of such nation.</p> <p>4. Authorizes the Sec. to undertake specified activities to promote improved monitoring and compliance for high seas fisheries or fisheries governed by international fishery management agreements.</p> <p>5. Reiterates Finding with IUU Fishing (MSA Section 2(12)) that international cooperation is necessary to address illegal unreported, and unregulated fishing.</p>				
Habitat Restoration due to Hurricane Effects on Shrimp and Oyster Fisheries and Habitats (1 item)				
The Secretary shall carry out activities to restore fishery habitats, including the shrimp and oyster habitats in Louisiana and Mississippi.	213	Other	6-Completed	Congress provided \$128 million in federal funds to be distributed to the 5 Gulf of Mexico states affected by the 2005 hurricane season. The funds were provided to the Gulf States Marine Fishery Commission in August 2006 via a one-time NOAA grant to be distributed to the states. The states received varying amounts of funding based on the severity of the impacts to their shrimp and oyster habitats. Some of the funds (\$1.2M) will be used to administer and coordinate the funds, and monitor the activities in each state.
Herring Study (1 item)				
Authorizes Sec. to conduct a cooperative research program to study distribution, abundance, and the role of herring as forage fish in the Northwest Atlantic. Sec. would be required to engage multiple fisheries sectors and stakeholder groups in planning, designing, and implementation of program. Final results must be presented within 3 months of study's completion and an interim report must be provided at the end of FY 2008. Authorizes \$2,000,000 for study during FY 2007-FY 2009.	205	Study	4-Funding Currently Unavailable	Funding is currently unavailable for this study.
Hurricane Grants (1 item)				
Subject to the availability of appropriations, requires Sec. to provide assistance and loan forgiveness to eligible holders of fishery finance program loans for expenditures within the declared fisheries disaster area as a result of	114	Guidelines	3-Waiting/Delayed	

Issue	MSRA Citation	Output	Status	Additional Information
Hurricane Katrina or Hurricane Rita. For FY 2006-FY 2012, \$15,000,000 is authorized to be appropriated to the Sec. for each eligible holder.				
Impact of Turtle Excluder Devices on Shrimping (1 item)				
Requires the Undersecretary of Commerce to execute an agreement with the National Academy of Sciences to jointly conduct a multi-year, comprehensive study to measure utilization of turtle excluder devices (TEDs), analyze the impacts on sea turtle mortality, and evaluate innovative technologies to increase shrimp retention in TEDs while ensuring sea turtle protection. When conducting this study, the Undersecretary must ensure that observers are placed onboard commercial shrimp fishing vessels where appropriate or necessary. Requires the National Academy of Sciences to submit biannual reports to Congress with a summary of preliminary findings and conclusions until a final report is submitted to Congress.	212	Study	4-Funding Currently Unavailable	Currently funding is not available for this study. However, NMFS is conducting background assessments of the available information and research to determine to what extent study-related issues may already have been addressed.
Implementation of Western and Central Pacific Fisheries Convention (1 item)				
Implements the Convention on the Conservation and Management of the Highly Migratory Stocks in the Western and Central Pacific Ocean.	501	Other	2-In Progress	Nominations for the Permanent Advisory Committee to the U.S. Commissioners have been received in response to solicitations published in the Federal Register on two occasions, July 11 (72 FR 37730) and September 18, 2007 (72 FR 53230). Selection of the Committee members is not yet completed, in part because the Commissioners, who have yet to be appointed, are integral in that process.
International Overfishing and Domestic Equity (1 item)				
Requires the Sec., in cooperation with the State Department, to immediately take appropriate action at the international level to end overfishing if the Sec. of Commerce determines a fishery is overfished, or approaching a condition of being overfished due to excessive international pressure, and there are no management measures to end overfishing under an international agreement.	406	Other	7-No action needed	No additional action is needed to implement this requirement of the MSRA. NMFS annually publishes the "Report to Congress on the Status of US Fisheries" that reports the status of each stock relative to overfished and overfishing status. NMFS will use this information to work to end overfishing in the international arena.

Issue	MSRA Citation	Output	Status	Additional Information
Investment in Seafood Processing (1 item)				
Requires the Sec. to work with the Small Business Administration (SBA) and other Federal agencies to develop financial and other mechanisms to encourage U.S. investment in seafood processing facilities in the United States for fisheries that lack processing capacity.	106(c)	Report	2-In Progress	
Joint Enforcement Agreements (1 item)				
Requires Sec. of Commerce to promptly enter into a confidentiality agreement with a State if a written opinion or certification is provided allowing State to maintain confidentiality of information, or reasonable assurance is provided that the State will protect confidential information.	111(a)	Agreement/MOU	6-Completed	Language in joint enforcement agreements between NMFS and the States has been revised to reflect the new Magnuson-Stevens requirements for data confidentiality.
LAPPs (1 item)				
Authorizes submission and approval of Limited Access Privilege programs (LAPPs) that meet certain requirements, detailed in Sec. 106.	106(a)	Guidelines	2-In Progress	The Office of Sustainable Fisheries sought public comment on guidance for the LAPP provisions found in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006. The comment period closed on September 30, 2007 and all comments received through October 31, 2007 were accepted. (http://www.nmfs.noaa.gov/sfa/PartnershipsCommunications/lapp/LAPPguidance.htm)
Multi-Year Research Priorities (1 item)				
Requires Councils develop, in conjunction with the SSC, multi-year research priorities for fisheries, fisheries interactions, habitats, and other areas of research that are necessary for management purposes, for 5-year periods. Requires research priorities be updated as necessary and submitted to the Sec. and National Marine Fisheries Service (NMFS) regional science centers for consideration in developing research priorities and budgets for the region of the Council.	103(d)(2)	Other	2-In Progress	
North Pacific Fisheries Conservation (1 item)				
Authorizes the North Pacific Council to	214	FMP Amendment	3-Waiting/Delayed	

Issue	MSRA Citation	Output	Status	Additional Information
establish a system, or systems, of fees, which may vary by fishery, management area, and observer coverage level, to pay for the cost of implementing a fisheries research plan.				
Northern Pacific Halibut Act (1 item)				
Amends the Northern Pacific Halibut Act to increase penalties. Amends the Northern Pacific Halibut Act to add section on revocation or suspension of permits.	301-302	Other	7-No action needed	This language is self-implementing. No further action is required to implement with this provision of the MSRA.
Observers (1 item)				
Revises observer requirements for foreign fisheries in the Pacific Insular Area. The Sec. of Commerce, in consultation with the WPFMC, determines adequate monitoring methods for harvest, bycatch, and compliance with U.S. law by foreign vessels that fish under a Pacific Insular Area fishing agreement.	404	Other	6-Completed	<p>No action is currently necessary for this task. The new MSRA provision takes effect only when there is a PIAFA in place (and corresponding conservation plan). Under the MSA, Marine Conservation Plans must be in place before a Pacific Insular Area Fishing Agreement (PIAFA) can be implemented. There are four MCPs currently in place or under review. There has been no PIAFA to date.</p> <p>No action is currently necessary for this task. The new MSRA provision takes effect only when there is a PIAFA in place (and corresponding conservation plan). Under the MSA, Marine Conservation Plans must be in place before a Pacific Insular Area Fishing Agreement (PIAFA) can be implemented. There are four MCPs currently in place or under review. There has been no PIAFA implemented to date.</p> <p>Monitoring programs would be part of the PIAFA negotiations held with the foreign applicant. The specifics of the proposed monitoring would probably not be included in the PIAFA itself, but would be described in detail in associated documents. The Secretary would review the proposed monitoring plan to ensure that it met the requirements of the MSRA and any other applicable law. At that time, the Secretary would determine the appropriate regulatory action, including any necessary rule-making. Previous similar programs have been implemented via public notice of availability and comment, and proposed and final rules.</p>
Oregon and California Salmon Fishery (1 item)				
Makes Federally recognized Indian tribes and small businesses adversely affected by Federal closures and fishing restrictions in the Oregon and California 2006 fall Chinook salmon fishery eligible to receive direct assistance under section 312(a) of the Act and section 308(d) of the Interjurisdictional Fisheries Act. In providing assistance, the Sec. is prohibited from using more than 4% of any monetary assistance for	113(c)	Other	6-Completed	Congress provided \$60.4 million in federal funds to be distributed to fishermen, tribes, and businesses affected by the 2006 Klamath commercial fishery disaster. The Pacific States Marine Fisheries Commission will distribute funds via a \$60 million NOAA grant that was approved this August. The Commission worked with California and Oregon and the Hoopa and Yurok Tribes to develop the grant application. In designing the program, the PSMFC also consulted with State Governors and West Coast Congressional Delegations. A portion of the fund (\$1.3 million) will be used to coordinate, plan, administer and monitor disaster funding activities, including public outreach.

Issue	MSRA Citation	Output	Status	Additional Information
administrative costs.				
Pacific Whiting (1 item)				
Implements the Agreement Between the Government of the United States and the Government of Canada on Pacific Hake/Whiting signed in Nov. 2003. (Section 601-611)	601	Program	2-In Progress	A Federal Register notice seeking nominations for advisory panel members was published on Oct. 24, 2007 (72 FR 60317).
Peer Review (1 item)				
Authorizes that the Secretary and each Council may establish a peer review process for that Council for scientific information used to advise the Council about the conservation and management of the fishery. The review process, which may include existing committees or panels, is deemed to satisfy the requirements of the guidelines issued pursuant to section 515 of the Treasury and General Government Appropriations Act for Fiscal year 2001 (Public Law 106-554—Appendix C; 114 Stat. 2763A-153).	103(b)	Undetermined	2-In Progress	
Prohibited Acts (1 item)				
Prohibits the import, export, transport, sale, receipt, acquisition or purchase of fish taken, possessed, transported, or sold in violation of foreign law or regulation. Prohibits the use of any fishing vessel after the Sec. of Commerce has paid the vessel owner under a fishing capacity reduction program. Prohibits the use of any fishing vessel in Federal or state waters, on the high seas, or in the waters of another country, after the Sec. has made a payment to the owner of the fishing vessel under a fishing capacity reduction program.	118	Other	7-No action needed	This language is self-implementing. No further action is required to comply with this provision of the MSRA.
Puget Sound Regional Shellfish Settlement (1 item)				
Implements the Puget Sound Regional Shellfish Settlement	702	Other	7-No action needed	Requirements apply to the Secretary of Interior rather than Secretary of Commerce. Therefore, NOAA Fisheries Service will not be tracking this task.

Issue	MSRA Citation	Output	Status	Additional Information
				Doug Tedrick, Special Assistant to the Director, Bureau of Indian Affairs in the Department of the Interior, is the contact for this issue.
Reauthorization of other acts (1 item)				
Reauthorizes the following legislation: - Atlantic Striped Bass Conservation Act (increases authorization to Sec. of Commerce to \$1 mill annually for FY 2006-2011); and - Yukon River Salmon Act of 2000 (authorizes \$4 mill annually for FY 2006-2011). - Shark Finning Prohibition Act (reauthorizes Act through FY 2011 at current funding level); - Pacific Salmon Treaty Act (reauthorizes Act through FY 2009 and transfers language establishing a Northern Boundary and Southern Boundary Restoration and Enhancement Fund – under the 1999 Pacific Salmon Treaty Agreement between the U.S. and Canada – from an omnibus appropriations bill in 2001, to the Pacific Salmon Treaty Act); and - Extends state authority for managing the Dungeness Crab fishery (under P.L. 105-384) through 2016. - Interjurisdictional Fisheries Act (General appropriations of \$5 mill FY 07-12). - Anadromous Fish Conservation Act (authorizes \$4.5 mill FY07-12).	302	Other	7-No action needed	This language is self-implementing. No further action is required to implement this provision of the MSRA.
Regional Disaster Relief and Evaluation (1 item)				
1) Authorizes Sec., upon request and in consultation with the Governors of affected States, to establish a regional economic transition program to provide disaster relief assistance to fishermen, charter fishing operations, processors, and owners of related fishery infrastructure affected by a catastrophic regional fishery disaster, as defined in the bill. 1a) Subject to the availability of appropriations, the program shall provide funds or other economic assistance to affected entities or governmental entities for disbursement to affected entities for meeting immediate regional shoreside	113	Regulatory Change	2-In Progress	The National Marine Fisheries Service (NOAA Fisheries) is today seeking early comment on proposed definitions, procedures and provisions for the new regional disaster relief provisions of the Magnuson-Stevens Fishery Conservation Act. Comments or information must have been received by January 4, 2008. http://www.nmfs.noaa.gov/msa2007/docs/NMFS_request4comments_disaster_assistance.pdf Regional Disaster Relief and Evaluation tasks were combined because of the interrelated nature of the work. The declaration of a disaster under these circumstances triggers a required evaluation of the effect on the region's fisheries.

Issue	MSRA Citation	Output	Status	Additional Information
<p>infrastructure needs, financial assistance and job training, fishing capacity reduction, and other activities authorized under section 312(a) of the Act or section 308(d) of the Interjurisdictional Fish. Act.</p> <p>1b) Authorizes that any fisherman who decides to scrap a fishing vessel under the program shall be eligible for job training assistance.</p> <p>2) Within 2 months after a catastrophic regional fishery disaster, the Secretary shall provide the Governor of each State participating in the program a comprehensive economic and socio-economic evaluation of the affected region's fisheries.</p>				
Regional Ecosystem-based Management & Research (1 item)				
Authorizes Sec. to provide technical and grant assistance to the Councils for development of regional pilot programs that build upon recommendations of the advisory panel and the study.	210	Other	7-No action needed	The MSRA authorizes the Secretary to provide technical advice and assistance to the Councils for the development and design of regional pilot programs that build upon the recommendations of the advisory panel and the study both established under Section 406 of the Magnuson-Stevens Act to advance ecosystem considerations in regional fishery management. No further action or guidance is needed to implement this authorization.
Restoration Study (1 item)				
Authorizes Sec. to conduct a study to update scientific information and protocols needed to improve restoration techniques for coastal habitat. Authorizes \$500K for FY 2007	206	Study	4-Funding Currently Unavailable	Funding is currently unavailable for this study.
Rockfish Demonstration Program (1 item)				
Amends program from 2 years to 5 years.	218	FMP Amendment	2-In Progress	
SEAK Capacity Redux - Appropriations (1 item)				
For SE Alaska Fisheries Communities Capacity Reduction Amends Section 209 of the DOC and related Agencies Appropriations Act, 2005, by inserting new amounts	121	Other	7-No action needed	This language is self-implementing. No further action is required to implement this provision of the MSRA.
Shark Feeding (1 item)				

Issue	MSRA Citation	Output	Status	Additional Information
Prohibits feeding of sharks to attract sharks for purposes other than harvest in the EEZ off Hawaii	119	Other	7-No action needed	This language is self-implementing. No further action is required to implement this provision of the MSRA.
Stipends (1 item)				
Subject to the availability of appropriations, the Secretary shall pay a stipend to SSC members that are not employed by the Federal government or a State government agency.	103(b)	Revise Council SOPPs	2-In Progress	
Study on the Acidification of the Oceans (1 item)				
Requires the Sec. to request the National Research Council conduct a study on the acidification of the oceans and how this process affects U.S. fisheries.	701	Study	4-Funding Currently Unavailable	Funding is currently unavailable for this task. However, NMFS would be required to conduct the study from current funding if the current version of the 2008 Senate appropriations bill becomes law.
Summer Flounder Rebuilding (1 item)				
Allows Secretary to extend the time for rebuilding of summer flounder under certain conditions	120(a)	Other	6-Completed	NMFS determined that the 2007 fishing specifications for summer flounder would meet the requirements of the MSRA. NMFS issued an emergency rule implementing the 2007 specifications (72 FR 2458) and an extension of the emergency rule (72 FR 32813) to extend the specifications to the end of 2007.
Technical Revisions to 50 CFR 600 (1 item)				
<p>1. Specifies that TALFF is discretionary except that TAL shall be zero for fisheries determined by the Secretary to have adequate or excess domestic harvesting capacity.</p> <p>2. Defines new terms and revises existing terms under MSA.</p> <p>3. Amends jurisdiction of the Caribbean. Inclusion in the technical revisions to the 600 regs is per agreement with the SERO (H. Blough).</p>	Sections 3 and 5(3), 102	Regulatory Change	2-In Progress	<p>This task encompasses MSRA provisions that are non-discretionary and require no interpretation or further guidance from NOAA Fisheries to implement. Examples of the revisions include changes in definitions, statements of fact and inclusion of new terms.</p> <p>The MSRA provision that modifies the Caribbean Council's jurisdiction is an administrative issue and will be included in the general technical amendment. An update to Council FMPs may be needed for the Caribbean Council to include a description of its jurisdiction.</p>
Use of Fishery Finance Program for Sustainable Purposes (1 item)				
Amends section 53706(a)(7) of title 46, United States Code, to read as follows: “(7) Financing or refinancing— “(A) the purchase of individual fishing quotas in accordance with section 303(d)(4) of the Magnuson-Stevens	209	Regulatory Change	2-In Progress	

Issue	MSRA Citation	Output	Status	Additional Information
Fishery Conservation and Management Act (including the reimbursement of obligors for expenditures previously made for such a purchase); “(B) activities that assist in the transition to reduced fishing capacity; or “(C) technologies or upgrades designed to improve collection and reporting of fishery-dependent data, to reduce bycatch, to improve selectivity or reduce adverse impacts of fishing gear, or to improve safety.”.				
Western Pacific Fishery Demonstration Projects (1 item)				
Eliminates requirement that Sec. of Interior provide funding for Western Pacific fishery demonstration projects and clarifies which fishery communities are eligible to receive grants for these projects.	207	Other	7-No action needed	No further action is required to implement this provision of the MSRA. The Department of Commerce has been the lead in providing grants for demonstration projects. The language clarifies the term community which had been defined earlier statute.
Western Pacific Sustainable Fisheries Fund (1 item)				
Requires that fines and penalties, imposed on foreign vessels for violations occurring within the EEZ off Midway Atoll, Johnston Atoll, Kingman Reef, Palmyra Atoll, Jarvis, Howland, Baker, and Wake Islands, be deposited into the Western Pacific Sustainable Fisheries Fund (established under section (7) of this section).	Section 6	Other	6-Completed	The Western Pacific Sustainable Fisheries Fund was established previously under the Magnuson-Stevens Act. A process to administer the fund is place and is functioning as described under the MSRA. Any payments received by the Secretary under a Pacific Insular Area fishery agreement for any Pacific Insular Area other than American Samoa, Guam, or the Northern Mariana Islands are deposited in the fund. The funds are primarily spent to further conservation and management objectives, including implementation of a marine conservation plans. Fines for several recent penalties have been deposited.
WP and NP Community Development (1 item)				
Establishes regionally-based pilot program for marine education and training in the Western Pacific and North Pacific to foster understanding, practical use of knowledge, and technical expertise relevant to stewardship of living marine resource. Specifies program components.	109	Program	2-In Progress	